

Amendments to the drawings:

The attached sheet of drawings contains amendments to Figure 1 in to an objection presented in section 7 of the examiner's action. This sheet, which includes Figures 1 and 2, replaces the original sheet containing Figures 1 and 2. The only change in Figure 1 is interchange of the locations of M_A and M_B .

Attachment: Replacement Sheet (1)

REMARKS

The Examiner's action dated December 15, 2008, has been received, and its contents carefully noted.

In response to the objection to the drawings, submitted herewith is a replacement sheet containing Figures 1 and 2, with the required corrections appearing on Figure 1. It is therefore requested that the objection to the drawing be reconsidered and withdrawn.

In response to the claim objection presented in section 3 of the action, claims 11 and 18 have been amended by deletion of the phrase "said light source".

The rejection of claims 1-7 and 11-20 as unpatentable over Gambs in view of Hall is respectfully traversed for the reason that the novel methods and devices defined in these claims are not suggested by any obvious combination of the teachings of the applied references.

The present invention is directed to a method and device for generating retinal images. Considering, firstly, the device defined in claim 15, this device comprises a source focus formed by a diaphragm forming a convergence point of an image, together with an image focus formed by the pupil or the center of the eye of an observer, positioned in the vicinity of a second focus of a substantially elliptical diopter, as well as a projection of the generated image in the vicinity of

the retina of the eye of the observer, the generated image having been reflected by the surface of the diopter.

The primary reference, Gambs, appears to disclose a fundamentally different type of device, which, notably, does not form a generated image to be transferred to the eye of an observer. Instead, in this device, nothing more than a light beam is produced by a lamp 3a and a diaphragm 3b, which beam is focused so that an image of the diaphragm slit is formed on an observation zone around a point where part of the eye, for example the lens, is intensely illuminated. The illuminated portion of the eye can then be observed through a microscope 1, such that the eye of the observer is remote from the eye being observed.

Thus, the purpose of the device disclosed by Gambs is fundamentally different from that of the device according to the present invention as defined in the present device claims.

The device disclosed by Gambs does not produce an image at a source focus and does not produce a projection in the vicinity of the retina of the eye of an observer of such generated image.

In the Gambs device, the generated image is not projected in the vicinity of the retina of the eye 2 because the device disclosed in this reference does not direct an

image to that eye. Instead, an image of a part of eye 2, for example the lens thereof, is viewed by an observer through microscope 1, and the eye of that observer is certainly not located in the vicinity of a second focus of an elliptical reflective surface.

Moreover, the Gambs device does not include a substantially elliptical reflective surface. Instead, it is composed of a plurality of flat mirror sections. Flat mirror sections may produce an acceptable result in a device in which a narrow, homogenous beam is caused to impinge on an eye surface that is to be observed. However, flat mirror sections cannot serve to transfer an accurate image to the vicinity of the retina of eye 2.

Furthermore, there is no logical basis for concluding that the device according to the present invention would somehow be "obvious", based on a combination of the teachings of Gambs and Hall, one significant reason being that Hall discloses a device that differs fundamentally from that disclosed by Gambs. Because the devices disclosed in the applied references differ fundamentally from one another in both structure and function, one skilled in the art would have absolutely no reason to consider modifying the Gambs device in accordance with any of the teachings of Hall.

In point of fact, given the purpose and mode of operation of the Gambs device, any such modification would be contrary to the teaching of Gambs and would, in reality, destroy the intended utility of that device, *i.e.*, would result in a device that could no longer achieve the results sought by Gambs.

When modification of a device disclosed in one reference according to the teachings of another reference produces such a result, it simply cannot be said that such modification would be "obvious".

Thus, claim 15 clearly distinguishes over any permissible combinations of the teachings of the applied references by its recitation of a device that uses a substantially elliptical diopter, which device includes a source focus having a diaphragm forming a convergence point of an image, an image focus formed by the pupil or the center of the eye of an observer, positioned in the vicinity of a second focus of the diopter, and a projection in the vicinity of the retina of the eye of the observer, of the generated image.

Claim 18 distinguishes patentably over the applied reference in a similar manner, in that it also relates to a device employing a substantially elliptical diopter, which device comprises a source focus composed of a luminous display, each object point of which generates a beam that is

first converging for reflection on the diopter, and then parallel in the vicinity of the position of the pupil of the eye, positioned in the vicinity of the first focus of the diopter, together with an image focus formed by the pupil or the center of the eye of the observer positioned in the vicinity of the second focus of the diopter, and a projection in the vicinity of the retina of the eye of the observer, of the image generated by the luminous display, and reflected by the surface of the diopter.

The pending method claims distinguish patentably over any appropriate combination of the teachings of the applied references in similar ways.

For example, claim 1 defines a method that uses a substantially elliptical diopter and that involves the steps of positioning in the vicinity of the first focus of the diopter a source focus forming a convergence point of an image generated by a luminous display or a light source, and projecting, in the vicinity of the retina of the eye of the observer, the image generated by the luminous display or by the light source and reflected by the surface of the diopter.

Method claim 11 also defines a method using a substantially elliptical diopter and includes recitations, similar to those of claim 1, of steps of positioning in the vicinity of the first focus of the diopter a luminous display,

each object point of which generates a beam that is first convergent before reflection from the diopter and then parallel in the vicinity of the pupil of the eye, positioning, in the vicinity of the second focus of the diopter, an image focus formed by the pupil or the center of the eye of the observer, and projecting, in the vicinity of the retina of the eye of the observer, the image generated by the luminous display and reflected by the surface of the diopter.

In view of the foregoing, it is requested that the rejections of record be reconsidered and withdrawn, that the pending claims be allowed and that the application be found in allowable condition.

If the above amendment should not now place the application in condition for allowance, the Examiner is invited to call undersigned counsel to resolve any remaining issues.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By /jmf/
Jay M. Finkelstein
Registration No. 21,082

JMF:smb
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
G:\BN\M\Mout\Hamdani1\Pto\2009-05-15 Amendment.doc